

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

MEMORANDUM AND ORDER
OF HEARING ON FEES, EXPENSES,
AND INCENTIVE AWARDS

In re METLIFE DEMUTUALIZATION
LITIGATION

00 CV 2258

The parties in this class action and a related New York State Supreme Court class action, *Fiala, et al. v. Metropolitan Life Insurance Company, et al.*, Index No. 601181/2000, have entered into a proposed settlement agreement that would settle plaintiffs' claims in both cases in their entirety. Pursuant to the Federal Rules of Civil Procedure and the New York State Civil Practice Law and Rules, a hearing was held on December 30, 2009 regarding the fairness, reasonableness, and adequacy of the proposed settlement. The state and federal courts heard representatives of the parties in favor of the proposed settlement. Representatives of several class members who object to the proposed settlement were also heard. Extensive documents were received and marked.

The hearing was adjourned until February 9, 2010 at 11:30 AM, when it will continue in the New York Supreme Court building at 60 Center Street, New York, NY, in courtroom 228. At that time, argument will be heard in both the federal and state cases on plaintiffs' counsels' applications for attorneys' fees, any applications on behalf of named plaintiffs for incentive awards, and any other applications for fees and expenses. Any objections to applications for fees, expenses, or incentive awards shall be filed with both courts by February 5, 2010.

This order will be filed and docketed on the Eastern District of New York's Electronic Case Filing (ECF) system, where it will be available to the public. Plaintiffs'

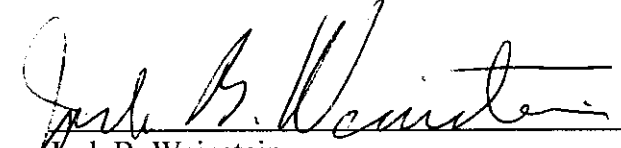
counsel are directed to provide a copy of this order to each of the named plaintiffs in this action, and to class members or their counsel who have submitted objections to the proposed settlement.

Defendant MetLife shall issue a press release stating the schedule provided in this order for argument and objections concerning the applications for fees, expenses, and incentive awards in both the state and federal cases.

Individual notice has already been provided to class members upon certification of the class in the federal case, and notice has been given by publication and otherwise of the proposed settlement and fairness hearing. These measures constitute adequate notice to class members in a reasonable manner for purposes of Rule 23(h) of the Federal Rules of Civil Procedure.

Date: December 30, 2009
Brooklyn, New York

SO ORDERED.



Jack B. Weinstein
Senior United States District Judge